



PUBLIC NOTICE

Federal Communications Commission
445 12th St., S.W.
Washington, D.C. 20554

AUG 23 4 40 PM '05

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DA 05-2337

Released: August 22, 2005

QWEST CORPORATION PETITION FOR WAIVER OF DEPRECIATION REGULATION

PLEADING CYCLE ESTABLISHED

WC Docket No. 05-259

COMMENTS: September 21, 2005

REPLY COMMENTS: October 6, 2005

On July 22, 2005, Qwest Corporation (Qwest) filed a petition requesting a waiver of the Commission's rules that regulate Qwest's depreciation rates, methods and practices. On July 28, 2005, Qwest submitted an Erratum to its waiver petition, which was received in the Secretary's office on August 8, 2005. In addition to those rules that directly address Qwest's depreciation practices (e.g., section 32.2000(g) of the Commission's rules), Qwest seeks waiver of other related sections of the Commission's rules so that the net book costs on its regulated books mirror those on its financial books going forward. The petition therefore seeks waiver of sections 32.2000(a)(2), (d)(1), (g) and (h), 32.2007, 32.3100(c), 32.6720(j), 32.7100(a), 43.43, and any other sections of the Commission's rules necessary to comply with the Commission's requirement that a carrier requesting waiver "adjusts the net book costs on its regulatory books to the level currently reflected in its financial books by a below-the-line write-off."¹

Pursuant to sections 1.415 and 1.419 of the Commission's rules, interested parties may file comments on or before September 21, 2005 and reply comments on or before October 6, 2005. Comments may be filed using the Commission's Electronic Comment Filing System

¹ *In the Matter of 1998 Biennial Regulatory Review – Review of Depreciation Requirements for Incumbent Local Exchange Carriers; United States Telephone Association's Petition for Forbearance from Depreciation Regulation of Price Cap Local Exchange Carriers*, Report and Order in CC Docket No. 98-137, Memorandum Opinion and Order in ASD No. 98-91, 15 FCC Rcd 242, 252-53, para. 25 (1999).

(ECFS) or by filing paper copies.² Comments filed through the ECFS can be sent as an electronic file via the Internet to <http://www.fcc.gov/e-file/ecfs.html>. Generally, only one copy of an electronic submission must be filed. In completing the transmittal screen, commenters should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number, in this case, **WC Docket No. 05-259**. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions for e-mail comments, commenters should send an e-mail to ecfs@fcc.gov, and should include the following words in the body of the message, "get form <your e-mail address>." A sample form and directions will be sent in reply. Parties who choose to file by paper must file an original and four copies of each filing. Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail). **Parties are strongly encouraged to file comments electronically using the Commission's ECFS.**

The Commission's contractor, Natek, Inc., will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, N.E., Suite 110, Washington, D.C. 20002.

- The filing hours at this location are 8:00 a.m. to 7:00 p.m.
- All hand deliveries must be held together with rubber bands or fasteners.
- Any envelopes must be disposed of before entering the building.
- Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743.
- U.S. Postal Service first-class mail, Express Mail, and Priority Mail should be addressed to 445 12th Street, SW, Washington, D.C. 20554.

All filings must be addressed to the Commission's Secretary, Marlene H. Dortch, Office of the Secretary, Federal Communications Commission, Room TW-A325, 445 12th Street, SW, Washington, D.C. 20554. Parties should also send a copy of their filings to Ron Kaufman, Pricing Policy Division, Wireline Competition Bureau, Federal Communications Commission, Room 6-C144, 445 12th Street, SW, Washington, D.C. 20554, or by e-mail to ronald.kaufman@fcc.gov. Parties shall also serve one copy with the Commission's copy contractor, Best Copy and Printing, Inc. (BCPI), Portals II, 445 12th Street, SW, Room CY-B402, Washington, D.C. 20554, (202) 488-5300, or via e-mail to fcc@bcpiweb.com.

The petition for waiver and comments filed by participating parties will be available for public inspection and copying during business hours at the FCC Reference Information Center, Portals II, 445 12th Street, SW, Room CY-A257, Washington, D.C. 20554. The documents may also be purchased from BCPI, telephone (202) 488-5300, facsimile (202) 488-5563, TTY (202) 488-5562, or by e-mail at fcc@bcpiweb.com.

This matter shall be treated as a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules.³ Persons making oral *ex parte* presentations are reminded that

² See *Electronic Filing of Documents in Rulemaking Proceedings*, GC Docket No. 97-113, Report and Order, 13 FCC Red 11322 (1998).

³ 47 C.F.R. § 1.1200 *et seq.*

memoranda summarizing the presentations must contain summaries of the substance of the presentations and not merely a listing of the subjects discussed. More than a one- or two-sentence description of the views and arguments presented generally is required.⁴ Other requirements pertaining to oral and written presentations are set forth in section 1.1206(b) of the Commission's rules.⁵

For further information, contact Ron Kaufman of the Pricing Policy Division, Wireline Competition Bureau at (202) 418-7148.

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⁴ See 47 C.F.R. § 1.1206(b)(2).

⁵ 47 C.F.R. § 1.1206(b).